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FRITZI BENESCH

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FRITZI BENESCH,

Plaintiff,

v.

SHARON GREEN; and DOES 1 through 10,
inclusive,

Defendants.

SHARON GREEN,

Cross-Complainant,

v.

FRITZI BENESCH, and ROES 1 through 25,
inclusive,

Cross-Defendants.

Case No. C 07-3784 EDL

**ANSWER OF FRITZI BENESCH TO
CROSS-COMPLAINT OF SHARON
GREEN**

DEMAND FOR JURY TRIAL

Defendant Fritzi Benesch answers the Cross-Complaint as follows:

1. Cross-Defendant admits the allegations contained in Paragraph 1.
2. Cross-Defendant admits the allegations contained in Paragraph 2.
3. Cross-Defendant denies the allegations contained in Paragraph 3.
4. Cross-Defendant denies the allegations contained in Paragraph 4.
5. Answering the allegations contained in Paragraph 5, Cross-Defendant admits that

1 the parties entered into a written agreement, dated July 27, 2000, that provided, among other
2 things, for Cross-Complainant to render legal services, and for Cross-Defendant to pay for said
3 services as set forth in the agreement.

4 6. Answering the allegations contained in Paragraph 6, Cross-Defendant admits the
5 first two sentences thereof and denies the third sentence.

6 7. Cross-Defendant incorporates her responses to Paragraphs 1–6.

7 8. Cross-Defendant denies the allegations contained in Paragraph 8.

8 9. Cross-Defendant incorporates her responses to Paragraphs 1–8.

9 10. Answering the allegations contained in Paragraph 10, Cross-Defendant admits the
10 first sentence thereof and denies the remainder.

11 11. Cross-Defendant denies the allegations contained in Paragraph 11.

12 **FIRST AFFIRMATIVE DEFENSE**

13 12. Cross-Defendant alleges that the Cross-Complaint, and each and every cause of
14 action stated therein, fails to state a claim upon which relief can be granted.

15 **SECOND AFFIRMATIVE DEFENSE**

16 13. Cross-Defendant alleges that Cross-Complainant's claims are barred by the
17 applicable statutes of limitations, including but not limited to California Code of Civil Procedure
18 sections 337, 339, and 343.

19 **THIRD AFFIRMATIVE DEFENSE**

20 14. Cross-Defendant alleges that Cross-Complainant's claims are barred by the
21 equitable doctrine of laches.

22 **FOURTH AFFIRMATIVE DEFENSE**

23 15. Cross-Defendant alleges that Cross-Complainant, by her own acts and omissions, is
24 estopped from asserting her claims in the Cross-Complaint.

25 **FIFTH AFFIRMATIVE DEFENSE**

26 16. Cross-Defendant alleges that Cross-Complainant's claims are barred, in whole or in
27 part, by Cross-Complainant's consent, authorization and/or ratification.

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